

AMENDED IN ASSEMBLY JUNE 20, 2012

AMENDED IN SENATE MAY 23, 2012

AMENDED IN SENATE MAY 17, 2012

AMENDED IN SENATE APRIL 26, 2012

AMENDED IN SENATE APRIL 18, 2012

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL**No. 969**

Introduced by Senator Vargas

January 17, 2012

An act to add and repeal Chapter 10 (commencing with Section 122370) of Part 6 of Division 105 of the Health and Safety Code, relating to pet grooming.

LEGISLATIVE COUNSEL'S DIGEST

SB 969, as amended, Vargas. Pet groomers.

Existing law provides for the licensure and regulation of veterinarians and registered veterinary technicians by the Veterinary Medical Board.

This bill would enact, until January 1, 2017, provisions governing the voluntary certification of pet groomers and creating the California Pet Grooming Council, a nonprofit organization exempt from taxation, as specified, to administer the certification process. The bill would make it an unfair business practice for any person engaged in pet grooming to advertise or hold himself or herself out as a registered, certified, or licensed pet groomer without being certified and regulated by the council. The bill would establish the requirements necessary to obtain a certificate as a pet groomer or a pet bather and brusher and set forth

the duties and obligations of a certified pet groomer or a pet bather and brusher, as specified. The bill would set forth the duties of the council with regard to the regulation of pet groomers and pet bathers and brushers and require the board to adopt a fee schedule that would apply to certificate holders. The bill would set forth standards for ~~discipline~~ *denial, suspension, or revocation of a certificate* and ~~authorize the council to impose administrative penalties~~ for a violation of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 10 (commencing with Section 122370)
2 is added to Part 6 of Division 105 of the Health and Safety Code,
3 to read:

4
5 CHAPTER 10. PET GROOMERS

6
7 122370. The following definitions shall apply for purposes of
8 this chapter:

9 (a) "Council" means the California Pet Grooming Council.

10 (b) "Pet" means any dog or cat placed in the care of a pet
11 groomer for grooming or styling.

12 (c) "Pet bather or brusher" means an individual who ~~solely~~
13 bathes and brushes a pet for compensation.

14 (d) "Pet groomer" means an individual who bathes, brushes,
15 clips, or styles a pet, *trims a pet's nails, or provides anal gland*
16 *expression*, for compensation.

17 (e) "Pet grooming" means the act of bathing, brushing, clipping,
18 or styling a pet, *trimming a pet's nails, or providing anal gland*
19 *expression*.

20 (f) "Pet grooming facility" means a commercial establishment
21 where a pet may be bathed, brushed, clipped, or styled.

22 122371. (a) The California Pet Grooming Council shall be
23 created and shall be a nonprofit organization exempt from taxation
24 under Section 501(c)(3) of Title 26 of the United States Code and
25 Section 23701 or Section 23701d of the Revenue and Taxation
26 Code. The council may commence activities after submitting a
27 request to the Internal Revenue Service and an application or

1 determination letter or ruling to the Franchise Tax Board seeking
2 this exemption. The council shall have the responsibilities and
3 duties set forth in this chapter. The council may take any reasonable
4 actions to carry out the responsibilities and duties set forth in this
5 chapter, including, but not limited to, hiring staff and entering into
6 contracts.

7 (b) (1) The council shall be composed of the following
8 members:

9 ~~(A) Two members~~ *One member* from Society for the Prevention
10 of Cruelty to Animals (SPCA) associations, ~~one from northern~~
11 ~~California, and one from southern California~~, unless that entity
12 chooses not to exercise this right of selection.

13 (B) One member selected by each state or nationwide pet
14 specialty retailer that provides pet grooming services, with gross
15 annual sales exceeding one hundred fifty million dollars
16 (\$150,000,000), unless the entity chooses not to exercise this right
17 of selection.

18 (C) One member selected by the State Humane Association of
19 California, unless that entity chooses not to exercise this right of
20 selection.

21 ~~(D) One member selected by the Director of Consumer Affairs,~~
22 ~~unless he or she chooses not to exercise this right of selection.~~

23 ~~(E) One member selected by the Veterinary Medical Board,~~
24 ~~unless that entity chooses not to exercise this right of selection.~~

25 ~~(F)~~

26 (D) One member selected by the California Animal Control
27 Directors Association, unless that entity chooses not to exercise
28 this right of selection.

29 ~~(G) Two members~~

30 (E) *One member* selected by the National Dog Groomers
31 Association of America, Inc., unless that entity chooses not to
32 exercise this right of selection.

33 ~~(H) One member~~

34 (F) *Two members* selected by the State Bar of California who
35 ~~has~~ *have* animal law experience and who ~~has~~ *have* been nominated
36 by a fellow animal law attorney, unless that entity chooses not to
37 exercise this right of selection.

38 ~~(I)~~

39 (G) Two members selected by the World Pet Association, unless
40 that entity chooses not to exercise this right of selection.

1 ~~(J)~~

2 (H) One member who is a licensed veterinarian selected by the
3 California Veterinary Medical Association.

4 ~~(K)~~

5 (I) One member selected by the International Professional
6 Groomers, Inc., unless that entity chooses not to exercise this right
7 of selection.

8 ~~(L) One member selected by the International Society of Canine~~
9 ~~Cosmetologists, unless that entity chooses not to exercise this right~~
10 ~~of selection.~~

11 ~~(M)~~

12 (J) One member selected by the Northern California Professional
13 Groomers Association, unless that entity chooses not to exercise
14 this right of selection.

15 ~~(N)~~

16 (K) One member selected by the Southern California
17 Professional Groomers Association, unless that entity chooses not
18 to exercise this right of selection.

19 (2) The council's bylaws shall establish a process for appointing
20 other professional members as determined by the council, including
21 two members who represent pet groomers who own or operate
22 independent facilities and are not affiliated with a pet specialty
23 retailer described in subparagraph (B) of paragraph (1) or another
24 retailer of comparable size.

25 (3) The initial members of the council shall establish the council,
26 initiate the request for tax-exempt status from the Internal Revenue
27 Service and the Franchise Tax Board, and solicit input from the
28 pet grooming community concerning the operations of the council.
29 The initial members of the council, in their discretion, may
30 immediately undertake to issue the certificates authorized by this
31 chapter after adopting the necessary bylaws or other rules, or may
32 establish by adoption of bylaws the permanent governing structure
33 prior to issuing certificates.

34 (c) The council shall establish fees reasonably related to the
35 cost of providing services and carrying out its ongoing
36 responsibilities and duties. Initial and renewal fees shall ~~be~~
37 ~~established by the council annually~~ *not exceed forty dollars (\$40)*
38 *for a two-year period.*

39 (d) The meetings of the council shall be subject to the rules of
40 the Bagley-Keene Open Meeting Act (Article 9 (commencing with

1 Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of
2 the Government Code).

3 122372. (a) The council shall issue a certificate under this
4 chapter to an applicant who satisfies the requirements of this
5 chapter.

6 (b) In order to obtain certification as a pet groomer, an applicant
7 shall submit a written application and shall provide the council
8 with satisfactory evidence that he or she meets all of the following
9 requirements:

10 (1) The applicant is 18 years of age or older.

11 (2) The applicant has successfully completed a curriculum,
12 approved by the council, in pet grooming and related subjects,
13 ~~totaling a minimum of 300 hours, that incorporates appropriate~~
14 ~~school assessment of student knowledge and skills and that~~
15 ~~provides a minimum of 1,000 hours of hands-on experience in pet~~
16 ~~grooming; or has a minimum of 1,000 hours of hands-on~~
17 ~~experience in pet grooming and successfully passes a pet grooming~~
18 ~~certification test established by the council and has had hands-on~~
19 ~~experience in pet grooming, the aggregate of which shall equal at~~
20 ~~least 900 hours. The hands-on portion of that requirement shall~~
21 ~~equal at least 60 percent of the 900 hours.~~

22 (3) All fees required by the council have been paid.

23 (c) The council shall issue a certificate to an applicant who
24 meets the qualifications of this chapter and who holds a current
25 and valid registration, certification, or license from any other state
26 whose requirements meet or exceed those defined within this
27 chapter. The council shall have discretion to give credit for
28 comparable academic work completed by an applicant in a program
29 outside of California.

30 (d) An applicant applying for a pet bather and brusher certificate
31 shall file with the council a written application provided by the
32 council, showing to the satisfaction of the council that he or she
33 meets both of the following requirements:

34 (1) The applicant is 18 years of age or older.

35 ~~(2) Any of the following:~~

36 ~~(A) The applicant has successfully completed a curriculum,~~
37 ~~approved by the council, in pet grooming and related subjects,~~
38 ~~totaling a minimum of 300 hours, that incorporates appropriate~~
39 ~~school assessment of student knowledge and skills.~~

1 ~~(B) The applicant has a minimum of 300 hours of training under~~
2 ~~the supervision of a certified pet groomer.~~

3 ~~(C) The applicant has successfully completed a pet grooming~~
4 ~~certification test established by the council.~~

5 ~~(e) Prior to the issuance of a certificate by the council, every~~
6 ~~applicant shall provide proof that he or she is insured against~~
7 ~~negligent acts associated with his or her activity as a pet groomer.~~

8 ~~(2) The applicant has successfully completed a curriculum,~~
9 ~~approved by the council, that incorporates appropriate assessment~~
10 ~~of student knowledge and skills, and has had training under the~~
11 ~~supervision of a certified pet bather and brusher or certified dog~~
12 ~~groomer, the aggregate of which shall equal at least 300 hours.~~

13 ~~(f)~~

14 ~~(e) Any certification issued under this chapter shall be subject~~
15 ~~to renewal every two years in a manner prescribed by the council,~~
16 ~~and shall expire unless renewed in that manner. The council may~~
17 ~~provide for the late renewal of a license *expire in two years unless*~~
18 ~~*renewed.*~~

19 ~~122373. (a) The council may discipline a certificate holder by~~
20 ~~any, or a combination, of the following methods:~~

21 ~~(1) Placing the certificate holder on probation.~~

22 ~~(2) Suspending the certificate and the rights conferred by this~~
23 ~~article on a certificate holder for a period not to exceed one year.~~

24 ~~(3) Revoking the certificate.~~

25 ~~(4) Suspending or staying the disciplinary order, or portions of~~
26 ~~it, with or without conditions.~~

27 ~~(5) Taking other action as the council, as authorized by this~~
28 ~~article or its bylaws, deems proper.~~

29 ~~(b) The council may issue an initial certificate on probation,~~
30 ~~with specific terms and conditions, to any applicant.~~

31 ~~(c) (1) Notwithstanding any other law, if the council receives~~
32 ~~notice that a certificate holder has been arrested and charges have~~
33 ~~been filed by the appropriate prosecuting agency against the~~
34 ~~certificate holder alleging a violation of subdivision (b) of Section~~
35 ~~597 of the Penal Code, the council shall take all of the following~~
36 ~~actions:~~

37 ~~(A) Immediately suspend, on an interim basis, the certificate of~~
38 ~~that certificate holder.~~

1 ~~(B) Notify the certificate holder within 10 days at the address~~
2 ~~last filed with the council that the certificate has been suspended;~~
3 ~~and the reason for the suspension.~~

4 ~~(C) Notify within 10 days any business that the council has in~~
5 ~~its records as employing the certificate holder that the certificate~~
6 ~~has been suspended.~~

7 ~~(2) Upon notice to the council that the charges described in~~
8 ~~paragraph (1) have resulted in a conviction, the suspended~~
9 ~~certificate shall become subject to permanent revocation. The~~
10 ~~council shall provide notice to the certificate holder within 10 days~~
11 ~~that it has evidence of a valid record of conviction and that the~~
12 ~~certificate will be revoked unless the certificate holder provides~~
13 ~~evidence within 15 days that the conviction is either invalid or that~~
14 ~~the information is otherwise erroneous.~~

15 ~~(3) Upon notice that the charges have resulted in an acquittal,~~
16 ~~or have otherwise been dismissed prior to conviction, the certificate~~
17 ~~shall be immediately reinstated and the certificate holder and any~~
18 ~~business that received notice pursuant to subparagraph (C) of~~
19 ~~paragraph (1) shall be notified of the reinstatement within 10 days.~~

20 *122373. (a) Notwithstanding any other law, the council may*
21 *suspend or revoke a certification if it receives credible*
22 *documentation that the certificate holder has been convicted of a*
23 *violation of Section 597 of the Penal Code.*

24 *(b) The council shall have the ability to suspend or revoke a*
25 *certificate upon evidence of gross negligence by a certificate*
26 *holder.*

27 *122374. (a) Upon the request of any law enforcement agency,*
28 *the council shall provide information concerning a certificate*
29 *holder, including, but not limited to, the current status of the*
30 *certificate, any history of disciplinary actions taken against the*
31 *certificate holder, the home and holder's work addresses of the*
32 *certificate holder, and any other information in the council's*
33 *possession that is necessary to verify facts relevant to an*
34 *investigation being conducted by a law enforcement agency.*

35 *(b) The council shall accept information provided by any law*
36 *enforcement agency or any other representative of a local*
37 *government agency. The council shall have the responsibility to*
38 *review any information received and to take any actions authorized*
39 *by this chapter that are warranted by that information.*

1 122375. It is a violation of this chapter for a certificate holder
2 to commit, and the council may deny an application for a certificate
3 ~~or discipline a certificate holder or revoke or suspend a certificate~~
4 for committing, any of the following:

5 (a) Unprofessional conduct, including, but not limited to, denial
6 of licensure, revocation, suspension, restriction, or any other
7 disciplinary action against a certificate holder by another state or
8 territory of the United States, by any other government agency, or
9 by another professional licensing board established under this
10 division. A certified copy of the decision, order, or judgment shall
11 be conclusive evidence of these actions.

12 (b) Procuring a certificate by fraud, misrepresentation, or
13 mistake.

14 ~~(c) Violating or attempting to violate, directly or indirectly, or~~
15 ~~assisting in or abetting the violation of, or conspiring to violate,~~
16 ~~any provision or term of this chapter or any rule or bylaw adopted~~
17 ~~by the council.~~

18 ~~(d)~~
19 (c) Conviction of any felony *involving animal cruelty or abuse*
20 *to animals*, or conviction of a misdemeanor that is substantially
21 related to Section 597 of the Penal Code, in which event the record
22 of the conviction shall be conclusive evidence of the crime.

23 ~~(e) Impersonating an applicant or acting as a proxy for an~~
24 ~~applicant in any examination referred to under this chapter for the~~
25 ~~issuance of a certificate.~~

26 (d) *Committing an act of gross negligence while pets are in the*
27 *certificate holder's care.*

28 ~~(f)~~
29 (e) Committing any fraudulent, dishonest, or corrupt act that is
30 substantially related to the qualifications or duties of a certificate
31 holder.

32 122376. (a) No certificate holder or certificate applicant may
33 ~~be disciplined or denied a certificate, or have his or her certificate~~
34 ~~suspended or revoked~~, pursuant to Section 122375 except according
35 to procedures satisfying the requirements of this section. A denial
36 or discipline not in accord with this section or subdivision (c) of
37 Section 122373 shall be void and without effect.

38 (b) Any denial of a certificate to an applicant or any discipline
39 imposed on a certificate holder shall be done in good faith and in
40 a fair and reasonable manner. Any procedure that conforms to the

1 requirements of subdivision (c) is fair and reasonable, but a court
2 may also find other procedures to be fair and reasonable when the
3 full circumstances of the certificate denial or certificate holder
4 discipline are considered.

5 (c) A procedure is fair and reasonable when the procedures in
6 subdivision (c) of Section 122373 are followed, or if all of the
7 following apply:

8 (1) The procedure has been set forth in the articles or bylaws,
9 or copies of the procedure are sent annually to all the members as
10 required by the articles or bylaws.

11 (2) The procedure provides for the giving of 15 days' prior
12 notice of the denial or discipline and the reasons therefor.

13 (3) The procedure provides an opportunity for the certificate
14 applicant or certificate holder to be heard, orally or in writing, not
15 less than five days before the effective date of the denial or
16 discipline by a person or body authorized to decide that the
17 proposed denial or discipline not take place.

18 (d) Any notice required under this section may be given by any
19 method reasonably calculated to provide actual notice. Any notice
20 given by mail must be given by first-class or certified mail sent to
21 the last address of the certificate applicant or certificate holder
22 shown on the council's records.

23 (e) Any action challenging a certificate denial or certificate
24 holder discipline, including any claim alleging defective notice,
25 shall be commenced within one year after the date of the certificate
26 denial or certificate holder discipline. If the action is successful,
27 the court may order any relief, including reinstatement, that it finds
28 equitable under the circumstances.

29 (f) This section governs only the procedures for certificate denial
30 ~~or certificate holder discipline~~, *suspension, or revocation* and not
31 the substantive grounds therefor. A certificate denial ~~or certificate~~
32 ~~holder discipline~~, *suspension, or revocation* based upon substantive
33 grounds that violates contractual or other rights of the member or
34 is otherwise unlawful is not made valid by compliance with this
35 section.

36 (g) The council shall be sued only in the venue of its principal
37 office.

38 ~~122377. It shall be the responsibility of any certificate holder~~
39 ~~to notify the council of his or her home address, as well as the~~
40 ~~address of any business establishment where he or she regularly~~

1 ~~works as a pet groomer or pet bather and brusher, whether as an~~
2 ~~employee or as an independent contractor. A certificate holder~~
3 ~~shall notify the council within 30 days of changing either his or~~
4 ~~her home address or the address of the business establishment~~
5 ~~where he or she regularly works as a pet groomer or pet bather~~
6 ~~and brusher.~~

7 *122377. (a) The Council shall establish a board of review to*
8 *review cases of gross negligence by certificate holders that come*
9 *to the attention of the council.*

10 *(b) The council shall create an online registry of certificate*
11 *holders to enable a consumer to determine whether his or her pet*
12 *groomer or pet bather and brusher is certified.*

13 122378. A certificate holder shall include the name under which
14 he or she is certified and his or her certificate number in any and
15 all advertising and shall display his or her certificate at his or her
16 place of business.

17 122379. (a) Notwithstanding Section 122372, the council may
18 grant a pet groomer or a pet bather and brusher certificate to any
19 person who applies on or after January 1, 2013, with ~~one~~
20 *documentation demonstrating that the person applying for*
21 *certification has performed a minimum of 900 hours of pet*
22 *grooming services to members of the public for compensation in*
23 *any state. For purposes of this subdivision, evidence of pet*
24 *grooming services performed shall include either of the following:*

25 ~~(1) A current valid pet grooming permit or license from a~~
26 ~~California city, county, or city and county and documentation~~
27 ~~evidencing that the person has provided at least 500 hours of pet~~
28 ~~grooming services to members of the public for compensation.~~

29 ~~(2) Documentation evidencing that the person has completed~~
30 ~~at least a 100-hour pet grooming curriculum and has provided at~~
31 ~~least 500 hours of pet grooming services to members of the public~~
32 ~~for compensation. For purposes of this subdivision, evidence of~~
33 ~~practice shall include either of the following:~~

34 ~~(A) A W-2 form or~~

35 ~~(1) An employer's affidavit containing the dates of the~~
36 ~~applicant's employment.~~

37 ~~(B)~~

38 ~~(2) Tax returns indicating self-employment as a pet groomer,~~
39 ~~pet bather and brusher, or any other title that may demonstrate~~
40 ~~experience in the field of pet grooming.~~

1 (b) After reviewing the information submitted under subdivision
2 (a), the council may require additional information necessary to
3 enable it to determine whether to issue a certificate.

4 ~~(c) (1) A person applying for a pet groomer certificate on or~~
5 ~~after January 1, 2013, who meets the educational requirements of~~
6 ~~paragraph (2) of subdivision (a), but who has not completed the~~
7 ~~required number of practice hours prior to submitting an application~~
8 ~~pursuant to this section, may apply for a conditional certificate.~~

9 ~~(2) An applicant for a conditional certificate shall, within five~~
10 ~~years of being issued the conditional certificate, be required to~~
11 ~~complete at least 30 hours of additional education per year from~~
12 ~~schools or courses described in paragraph (5) until he or she has~~
13 ~~completed a total of at least 300 hours of education, which may~~
14 ~~include hours previously completed in a pet grooming curriculum~~
15 ~~described in paragraph (2) of subdivision (a).~~

16 ~~(3) Upon successful completion of the requirements of this~~
17 ~~subdivision, the council shall issue a certificate to the person that~~
18 ~~is not conditional.~~

19 ~~(4) A conditional certificate issued to any person pursuant to~~
20 ~~this subdivision shall immediately be nullified, without need for~~
21 ~~further action by the council, if the time period specified in~~
22 ~~paragraph (2) expires without proof of completion of the~~
23 ~~requirements having been filed with the council.~~

24 ~~(5) Any additional education required by this section may be~~
25 ~~completed through any of the following:~~

26 ~~(A) A curriculum approved by the council.~~

27 ~~(B) A provider approved by, or registered with, the Department~~
28 ~~of Consumer Affairs.~~

29 ~~(d) Nothing in this section shall preclude the council from~~
30 ~~exercising any power or authority conferred by this article with~~
31 ~~respect to a conditional certificate holder.~~

32 122380. (a) It is an unfair business practice for any person to
33 advertise or put out any sign or card or other device, or to represent
34 to the public through any print or electronic media, that he or she
35 is certified, registered, or licensed by a governmental agency as a
36 pet groomer or pet bather and brusher.

37 (b) It is an unfair business practice for any person to hold himself
38 or herself out as, or use the title of, “certified pet groomer” or
39 “certified pet brusher and bather” or to use any other term such as
40 “licensed” or “registered” that implies or suggests that the person

1 is certified as a pet groomer or a pet bather and brusher without
2 meeting the requirements of this chapter.

3 (c) The superior court in and for the county in which any person
4 acts as a pet groomer in violation of the provisions of this chapter
5 may, upon a petition by any person, issue an injunction or other
6 appropriate order restraining the conduct. The proceedings under
7 this subdivision shall be governed by Chapter 3 (commencing with
8 Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.

9 122381. (a) Every application for ~~admission to examination~~
10 ~~and~~ certification shall be in writing, on forms prepared and
11 furnished by the council.

12 (b) Each application shall be accompanied by the required fee,
13 and shall contain proof of the qualifications of the applicant for
14 examination and certification. It shall be verified by the oath of
15 the applicant. ~~Every applicant shall, as a condition of admittance~~
16 ~~to the examination facility, present satisfactory proof of~~
17 ~~identification. Satisfactory proof of identification shall be in the~~
18 ~~form of a valid, unexpired driver's license or identification card,~~
19 ~~containing the photograph of the person to whom it was issued,~~
20 ~~issued by any state, federal, or other governmental entity.~~

21 122382. (a) The examination of applicants for certification
22 shall include both a practical demonstration and a written test and
23 shall embrace the subjects typically taught in a curriculum
24 approved by the council.

25 (b) ~~The examination shall not be confined to any particular~~
26 ~~system or method. It shall be consistent in both practical and~~
27 ~~technical requirements, and of sufficient thoroughness to satisfy~~
28 ~~the board as to the applicant's skill in, and knowledge of, the~~
29 ~~practice of the occupation for which a certificate is sought.~~

30 (c) ~~The scope of examinations shall be consistent with the~~
31 ~~definition of the activities licensed under this chapter, and shall~~
32 ~~be as the council, by regulation, may require to protect the health~~
33 ~~and safety of consumers of the services provided by certificate~~
34 ~~holders.~~

35 (d) ~~The council's examinations shall be limited to job-related~~
36 ~~questions, activities, and practical services. The examinations may~~
37 ~~include other demonstrations and tests as the council, in its~~
38 ~~discretion, may require.~~

39 122383. All examinations shall be prepared by or under the
40 direction of the council. The council shall establish standards and

1 ~~procedures governing administration and grading and shall exercise~~
2 ~~supervision as may be necessary to ensure compliance therewith.~~

3 ~~122384. Any person who fails the pet groomer's certification~~
4 ~~examination shall be eligible to retake the examination upon~~
5 ~~compliance with the provisions of this chapter.~~

6 ~~122385. The council may contract or otherwise arrange for~~
7 ~~reasonably required physical accommodations and facilities to~~
8 ~~conduct examinations.~~

9 122386. The form and content of a certificate issued by the
10 council shall be determined by the council.

11 122387. The council shall create a record of those certified
12 pursuant to this chapter. The record shall include a certificate
13 holder's first and last name, license number, and a record of any
14 ~~disciplinary action taken against the licensee, including the~~
15 ~~suspension or revocation of the certificate holder's pet grooming~~
16 ~~certification.~~

17 122388. Certificates issued under this chapter, unless
18 specifically excepted, shall be issued for a two-year period and
19 shall expire at midnight on the last day of the month of issuance
20 by the council.

21 122389. Except as otherwise provided in this chapter, a
22 certificate that has expired for failure of the certificate holder to
23 renew within the time fixed by this chapter may be renewed at any
24 time within five years following its expiration upon application
25 and payment of all accrued and unpaid renewal fees, ~~delinquency~~
26 ~~fees, and fines.~~ Renewal under this section shall be effective on
27 the date on which the application is filed, or on the date on which
28 the accrued renewal fees, delinquency fees, or fines are paid, if
29 any, whichever occurs last. If so renewed, the certificate shall
30 continue in effect through the expiration date provided in this
31 chapter which next occurs following the effective date of the
32 renewal, when it shall expire if it is not again renewed.

33 122390. Except as otherwise provided in this chapter, a
34 certificate which has not been renewed within five years following
35 its expiration shall be deemed canceled and may not be renewed,
36 restored, reinstated, or reissued thereafter. The holder of the
37 canceled certificate may obtain a new certificate only by submitting
38 an application; ~~and~~ paying all required fees, ~~and qualifying for and~~
39 ~~passing the examination that would be required as if the holder~~
40 ~~were applying for the certificate for the first time.~~

122391. A suspended certificate is subject to expiration and shall be renewed by the certificate holder as provided in this chapter, but that renewal does not entitle the certificate holder, while the certificate remains suspended and before it is reinstated, ~~to engage in the pet grooming activity, or in any other activity or conduct in violation of the order or judgment by which the certificate was suspended~~ *represent himself or herself as being certified pursuant to this chapter.*

122392. A revoked certificate is subject to expiration as provided in this chapter, but may not be renewed. If it is reinstated pursuant to an administrative or court proceeding ~~after its expiration, the certificate holder, as a condition precedent to its reinstatement, shall pay a reinstatement fee in an amount, no fee shall be required. In all other instances, a reinstatement fee, not to exceed forty dollars (\$40), may be required to receive a new certificate, as established by the council pursuant to Section 122393.~~

122393. (a) The council shall establish a schedule of fees payable under this chapter, including, but not limited to, all of the following:

- ~~(1) Application and examination fees.~~
- ~~(2)~~
- (1) Initial certification fees *not to exceed forty dollars (\$40).*
- ~~(3) Renewal fees.~~
- (2) *Certification renewal fees not to exceed twenty dollars (\$20).*
- ~~(4)~~
- (3) Reinstatement fees *not to exceed forty dollars (\$40).*
- ~~(5) Delinquency fees.~~
- ~~(6)~~
- (4) Duplicate certificate fees *not to exceed twenty dollars (\$20).*
- ~~(7) Processing fee, not to exceed twenty dollars (\$20) to cover the costs of processing the application and certificate.~~

(b) No fee established pursuant to subdivision (a) shall be in excess of the costs to the council of administering the activity covered by that fee.

122394. This chapter shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted

1 statute, that is enacted before January 1, 2017, deletes or extends
2 that date.

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